

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BILLIE JOE CHAPMAN, Mentally
Handicapped,

Plaintiff,

v.

CHRIS ANDERSON, et al.,

Defendants.

8:12CV370

**MEMORANDUM
AND ORDER**

Plaintiff has filed a motion seeking the appointment of counsel. (Filing No. [62](#).) The court cannot routinely appoint counsel in civil cases. In [Davis v. Scott, 94 F.3d 444, 447 \(8th Cir. 1996\)](#), the Eighth Circuit Court of Appeals explained that “[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. . . . The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel” *Id.* (quotation and citation omitted). No such benefit is apparent here. Thus, the request for the appointment of counsel is denied without prejudice to reassertion.

IT IS THEREFORE ORDERED that: Plaintiff’s Motion to Appoint Counsel (Filing No. [62](#)) is denied without prejudice.

DATED this 17th day of April, 2014.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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